

REMARKS

This Response is submitted in reply to the Non-Final Office Action dated November 21, 2008. Claims 26-50 are pending in this application. Claims 26-50 are rejected. In response, Claims 26, 27, 31, 32, 38, 40, 42-44, 47, 49, and 50 have been amended and Claims 51-54 have been newly added. The amendment does not add new matter. In view of the amendment and/or for the reasons set forth below, Applicants respectfully submit the rejections are improper and should be withdrawn.

Rejections under 35 U.S.C. 103

In the Office Action, Claims 26-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication No. 2001/0047363 by Peng ("Peng") in view of U.S. Patent Publication No. 2003/0061234 by Ali ("Ali"). Applicants respectfully disagree and traverse such rejections for at least the reasons set forth below.

Claim 26 has been amended to recite, in part, "a storage means for storing ~~mobile directory information including~~ information of nearby apparatuses; and a controller means for collecting information of accessible nearby apparatuses and ~~updating the mobile directory information stored~~storing the information in the storage means ~~based on the collected information.~~" The amendment is fully supported by the specification. For example, see the specification at paragraph [0253]. Please note independent Claims 32, 38, 42, 44, 47, 49, and 50 contain similar amendments and dependent Claims 27, 31, 40, and 43 have been amended to be consistent with their respective independent claims.

Regarding Claim 26, Applicants respectfully submit the cited prior art fails to disclose or suggest a storage means for storing information of nearby apparatuses, and a controller means for collecting information of accessible nearby apparatuses and storing the information in the storage means. For example, Ping discloses a method for providing personalized application search results and is silent regarding collecting and storing information of accessible nearby apparatuses. See Ping, Abstract and paragraphs [0029]-[0033].

The Patent Office relies on Ali to cure the deficiencies of Ping. Specifically, the Patent Office states at page 8, lines 9-14:

Ali discloses: a mobile switching center (See paragraph 0008). Ali further discloses that while the mobile units may communicate with a base station, the mobile units can also communicate directly with other wireless systems (See paragraph 0019). Accordingly, the mobile units contain information of accessible nearby apparatuses. The information is then used in the location routing (see paragraph 0048).

First, Applicants respectfully submit Ali fails to teach the mobile information processor stores information of nearby apparatuses as is claimed and fully supported by the specification. Applicants assert Ali's mobile switching center is not a part of the mobile unit. See Ali, Fig. 1 and paragraph [0019]. Furthermore, Ali's mobile units "communicating with a base station 20 through a radio transceiver tower" or communicating "with other wireless transceiver systems such as satellite wireless transponders" does not teach or suggest accessible nearby apparatuses. Ali, paragraph [0019]. Rather, Ali merely teaches the mobile units can communicate through radio transceiver towers or satellite wireless transponders and is silent regarding the proximity of other apparatuses. Therefore, Applicants respectfully disagree that Ali's mobile units containing information of accessible nearby apparatuses follows from the cited passages or any other part of Ali.

Second, Applicants respectfully submit Ali fails to teach the mobile information processor collects information of accessible nearby apparatuses as is claimed and fully supported by the specification. Ali discloses that the detection of a mobile directory number (MDN) enables a routing database search and if no MDN is detected, the message signaling unit is exited from location register routing. See Ali, paragraph [0048]. However, Ali fails to disclose or suggest the mobile unit collects and stores any identification information from the routing process, let alone information of accessible nearby apparatuses.

Independent Claims 32, 34, 38, 42, 44, 47, 49, and 50 are rejected for the same reasons set forth in the rejection of Claim 26. Thus, Applicants respectfully submit that all independent claims are patentable for the same reasons as stated above. The patentability of independent Claims 26, 32, 34, 38, 42, 44, 47, 49, and 50 renders moot the obviousness rejection of Claims 27-31, 33, 35-37, 39-41, 43, 45, 46, and 48 that depend thereon.

Accordingly, Applicants respectfully request that the obviousness rejections with respect to Claims 26-50 be reconsidered and the rejections withdrawn.

New Claims

Applicants further note that Claims 51-54 have been newly added. The new claims are fully supported by the specification. For example, support for Claim 51 can be found in paragraphs [0016], [0024], [0028,], and [0113] of the specification; support for Claim 52 can be found in paragraph [0100]; support for Claim 53 can be found in paragraphs [0168] and [0184]; and support for Claim 54 can be found in paragraphs [0069], [0096], and [0100].

Applicants respectfully submit the subject matter as defined in the newly added claims is patentable over the cited art of record for at least the same reasons as discussed above, and for the additional patentable elements recited therein.

For the foregoing reasons, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicit reconsideration of the same.

The Commissioner is hereby authorized to charge deposit account No. 02-1818 for any fees which are due and owing. If such a withdrawal is made, please indicate the Attorney Docket No. 112857-425 on the account statement.

Respectfully submitted,

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Dated: January 22, 2009